

**ATV Advisory Council Meeting  
Minutes  
September 8, 2005**

The meeting opened at 1pm. Those in attendance were, Scott Ramsay; Department of Conservation, Off Road Vehicle Division, David Soucy; Director, Department of Conservation, Brian Bronson; ATV Coordinator, DOC, Off Road Vehicle Division, Mark Doty; Plum Creek Timber Co., Jon Olson; Maine Farm Bureau, Scott Nadeau; Maine Recreational Motor Sports, Dan Mitchell; President, ATV Maine, Bill Swan; Inland Fisheries and Wildlife, Carl Campbell; Aroostook Riders ATV Club, David Anderson; Topsham Trail Riders Club, Charles Corliss; Narraguagus ATV Club, Paul Bernier, Towns of Frenchville & St. Agatha, Joe Benzing; SWOAM, Tom Santaguida; Maine Warden Service, Nancy Sferra; The Nature Conservancy. There were three guests: Rick Sally; BRP inc., Ed Pino; Pino Association, Bill LaGrutta; Kawasaki Motor Corp.

David Soucy welcomed and thanked the council members for joining this group and for taking the time to be there. Each council member introduced themselves and whom they represented. After introductions, David Soucy reviewed the agenda, discussed the organization of the council, options for running meetings. He also discussed the statute that created the council, basic duties for the council, what subjects the council must review according to the statute.

Next, Scott Ramsay reviewed the financial aspect of the ORV Division (where money comes from and how it is spent) and the ORV staff structure and gave email addresses for the staff. After this, Scott gave an explanation of each item in the folders that were handed out to each member. Scott pointed out that the ATV Solutions book should be reviewed at a later meeting, and is available online.

David Soucy gave a detailed explanation on the difference between dedicated fund money vs. general fund money. He also discusses when and why Government will take money from general fund monies.

Tom Santaguida gave an explanation of IF&W grant money for the ATV programs to help Municipalities enforcement of ATV Laws.

Scott Ramsay talked about the list of the ATV clubs in the state of Maine and discusses the Economic Impact Information.

After a break mandated topics were discussed. The first topic of discussion is regarding the Trail Pass/Discounted Registrations. Dan Mitchell describes the two philosophies. First is a Fee for use idea, which would entitles a person to ride trails, the other is a discount on registration for people who are club members. Both have very good points, it will be the job of the council to debate each side in order to make a recommendation to the governor.

Some of the issues with Passes that were brought up by council as well as ORV Staff:

- Landowner Liability Law may not protect landowners when fee for use is in place
- How would fees be collected?
- How would it be displayed that a fee was paid
- What happens when landowners want a part of the fee that is collected?
- Objections from registered users who don't use trails
- Who would administer the pass program or a club card for discounts?

Long discussion regarding the above mentioned points; Scott Ramsay explained in great detail how the landowner liability law works. A discussion on how the state is self-insured and how difficult it is to insure landowners. Discussion followed on how the discount for club members could be the answer since it would encourage an increase in club memberships, giving clubs the opportunity to educate the public on ATV riding, as well as increase the number of volunteers who could help clubs get trail work completed.

3pm David Soucy mentions we must move forward in order to cover the recommendations from the Governor's task force. Tom Santaguida discusses the issues with abusive riders and damage to property and young under aged drivers. Compliance to the new laws seems to be one of the biggest issues. Landowners do not seem to mind riders on their property, but they do prefer to know who is riding on their land. Tom also discusses the penalties and some of the issues with administering the penalties as well as the interpretation of the laws.

The council discussed what kind of education would be helpful for the public to learn the laws, and how to operate an ATV in a safe manner. Even though compliance to the new laws has been relatively good, there is room for more education so that the public will become responsible users.

The discussion moved to Age restrictions. Brian Bronson briefly described the age restrictions that are currently in the law. Debate followed on who should drive and when, who should be required to have a safety training course, whether or not the parents of minors should be forced to attend. Many agree that the age that is required to take a safety-training course should be raised to higher than the current of 16. The national requirements are discussed as well.

The final order of business is to elect a chair, vice chair and terms for the council. Jon Olson nominates Dan Mitchell for Chair. This is second by Paul Bernier and 3<sup>rd</sup> by Carl Campbell. The motion is passed to elect Dan Mitchell as the Chairman of the Council.

Jon Olson then nominates Scott Nadeau for vice chair, this is second by Charlie Corliss. And passed by the remaining members.

Straws are then drawn for terms. Short straws are for 2-year terms long straws for 3 years. The terms are as follows:

2 year Terms:

Dan Mitchell  
Carl Campbell  
David Anderson

3-year term:

Mark Doty  
Jon Olson  
Scott Nadeau  
Bill Swan  
Charles Corliss  
Paul Bernier  
Joe Benzing  
Tom Santaguida  
Nancy Sferra

Dates are set for the next two meetings, October 7, 2005 in Augusta & October 28, 2005 in Bangor. Meetings will be from 10 AM to 3 PM. Meeting Adjourned